

PROGRAM MANAGER, INFORMATION SHARING ENVIRONMENT
WASHINGTON, DC 20511

February 12, 2008

MEMORANDUM FOR DESIGNATED ISE PRIVACY OFFICIALS OF FEDERAL
DEPARTMENTS AND AGENCIES

FROM: Alexander W. Joel, Civil Liberties Protection Officer, Office of the
Director of National Intelligence, Cochair, ISE Privacy Guidelines
Committee

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U.S. Department of Justice, Cochair, ISE Privacy Guidelines
Committee

SUBJECT: Implementing the Information Sharing Environment (ISE) Privacy
Guidelines

As federal privacy officials, we share an important responsibility. We must help our departments and agencies carry out the dual mandates given to them by the Congress and the President—to share terrorism-related information and to protect the freedom, information privacy, and other legal rights of Americans. This is not an easy task, but it is a crucial one and one that is consistent with our oaths of office—“to support and defend the Constitution of the United States.”

At the direction of the President, on December 4, 2006, the Program Manager for the Information Sharing Environment (ISE) released the *Guidelines to Ensure That the Information Privacy and Other Legal Rights of Americans Are Protected in the Development and Use of the Information Sharing Environment* (ISE Privacy Guidelines or Guidelines).¹ The ISE Privacy Guidelines provide a framework to enable information sharing while ensuring appropriate safeguards for privacy and civil liberties in the development, implementation, and operation of the various parts of the ISE. The Guidelines establish core privacy protections and uniform processes and are deliberately worded in general terms to avoid creating “one-size-fits-all” solutions. They recognize the diversity that exists across the Federal government and, indeed, across the ISE; however, although there are many different ways to put the Guidelines into effect, compliance with the Guidelines is not optional.

To assist agencies in implementing the Guidelines, the ISE Privacy Guidelines Committee, which we cochair, developed the ISE Privacy Guidelines Implementation Manual (Manual). The Manual offers federal departments and agencies the assistance and guidance they need to implement the Guidelines in a manner that accommodates

¹ The ISE Privacy Guidelines implement the requirements of the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), as amended, and Executive Order 13388, *Further Strengthening the Sharing of Terrorism Information to Protect Americans*. Implementation of the ISE Privacy Guidelines also supports the *National Strategy for Information Sharing: Successes and Challenges in Improving Terrorism-Related Information Sharing (Strategy)*. Issued by the President in October 2007, the *Strategy* emphasizes the importance of the ISE in its plan to improve information sharing among federal entities; state, local, and tribal entities; the private sector; and our foreign partners.

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agency-specific missions, practices, and authorities. The tools and practices reflected in the Manual are neither prescriptive nor do they dictate precisely how to implement the Guidelines. Rather, they suggest methods or best practices to accomplish the goal of compliance with the Guidelines.

We know that implementing the ISE Privacy Guidelines will present a challenge, not only to you but to your agency. There exists no single silver-bullet answer for how to reconcile national security and liberty in every situation, an issue that our nation has confronted since its founding. Nonetheless, we trust that the Manual will permit agencies to share terrorism-related information while also protecting the information privacy and legal rights of all Americans.